

THE WOODLANDS TOWNSHIP

BOARD OF DIRECTORS

WORKSHOP MEETING

OCTOBER 20, 2011

MINUTES

THE STATE OF TEXAS §

COUNTIES OF HARRIS & MONTGOMERY §

The Board of Directors of The Woodlands Township met in regular session, open to the public, on October 20, 2011, posted to begin at 7:30 a.m. The workshop session was held in a meeting room at the office of The Woodlands Township, Board Chambers, 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas, within the boundaries of The Woodlands Township.

DIRECTORS PRESENT: Chairman Bruce Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter**, Treasurer Ed Robb**, Director Nelda Blair, Director Tom Campbell, and Director Peggy Hausman

DIRECTORS ABSENT: None

STAFF/ADVISORS: Don Norrell, President/General Manager, John Powers, Assistant General Manager Community Services, Monique Sharp, Assistant General Manager of Finance & Administration, Fire Chief Alan Benson, Susan Welbes, Director of Human Resources, Nick Wolda, Director of Community Relations/CVB President, Karen Dempsey, Management Analyst, Mary Connell, Manager of Community Relations, Mike Page and Bret Strong, Legal Counsel

Pledge of Allegiance:

Director Campbell led the Pledge of Allegiance to the United States flag and Texas State flag.

Call to Order:

Chairman Tough called the workshop session to order at 7:33 a.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

**Indicates arrived late.

Consider and act upon adoption of the meeting agenda:

Note: Director Campbell requested that Item 7 regarding the CenterPoint Springwoods power transmission line project and Item 13 regarding Woodlands Parkway expansion be moved before the Potential Consent Agenda. Chairman Tough then called for a motion and second to adopt the meeting agenda as presented with the above changes.

MOTION: Motion by Director Blair to adopt the agenda as presented with changes; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: Secretary Hunter
 Treasurer Robb

ACTION: Motion passed unanimously (5-0).

Recognize Public Officials:

Former WCA Directors Sheila Dowell and Kenny Speight were recognized, along with David Kleimann of the San Jacinto River Authority.

Public Comment:

The following members of the public addressed the Board:

- **Bruce Berlin, Larry Vernier, Karl Collins, James Crawford, Rebecca Crawford and Mary Opdahl**-concerns regarding Woodlands Parkway expansion
- **David Kleimann**-comments regarding annexation and RPA with the City of Houston
- **Steve Leahey**-offered suggestions on how to run meetings more efficiently

Note: Treasurer Robb arrived during Public Comment.

The Public Comment Sign-In Sheet and handout material are attached hereto as Exhibit "A."

Receive and consider a presentation regarding the CenterPoint Springwoods power transmission line project:

Chairman Tough called on Miles McKinney to present this item. Mr. McKinney presented an overview of a recent public meeting held by CenterPoint to share information about the undetermined route of a proposed 138 kilovolt double-circuit transmission line that will provide electric transmission service to one of three proposed alternate CenterPoint Springwoods distribution substation sites.

Following his presentation, Mr. McKinney introduced Mike Pakeltis, CenterPoint representative, who provided additional details about the project and answered questions. Resident Roxanne Miller addressed the Board with information concerning a protest effort with a petition against allowing the

power lines into the High Oaks neighborhood citing environmental and health concerns. Ms. Miller asked the Board to write a letter of support to be presented to the Public Utility Commission of Texas.

The Board directed staff to gather more information concerning consideration of intervention in the process, explore the possibility of funding consultants, consider partnering with neighboring entities, engage special counsel, and prepare a letter similar to that offered by The Woodlands Land Development Company with additional information indicating that for the most part, The Woodlands has buried electric lines. This item will be brought forward to the October 26, 2011 regular Board meeting for further discussion and action under the Regular Agenda.

Discussion regarding the widening of Woodlands Parkway (this item will be discussed at the October 26, 2011 Board of Directors Meeting);

There was no further discussion at this time. This item will be brought forward to the October 26, 2011 regular Board meeting for consideration and action under the Regular Agenda.

Note: Chairman Tough requested that Briefing Item 9 and then Briefing Item 8 be presented at this time.

Receive, and consider an update from The Woodlands Waterway Marriott Hotel's General Manager, Fred Domenick, regarding 2011-2012 Convention Center activities;

Chairman Tough called on Nick Wolda to introduce Fred Domenick, General Manager of The Woodlands Waterway Marriott Hotel and Convention Center. Mr. Domenick informed the Board that revenue and profit levels are favorable and very similar to 2008 levels, refurbishment of the hotel is ongoing and the holiday party season, which is driven by the energy sector, should be productive. Mr. Domenick stated that the outlook for 2012 appears positive.

Receive and consider a presentation regarding the results of the Law Enforcement Study;

Julia Novak, President of The Novak Consulting Group and Craig Fraser, Director of Management Services for The Police Executive Research Forum, gave a PowerPoint presentation. Ms. Novak commented that generally there is a positive opinion of current law enforcement services and the community policing model that is used in The Woodlands. Additionally, the Law Enforcement Study included suggested recommendations under the current model such as clarification of the Township's Director of Law Enforcement Services role and improvements to monthly reporting which would include Uniform Crime Reports (UCR). Ms. Novak and Mr. Fraser also reviewed staffing plans for three options for a projected Woodlands Township Police Department. The Board was provided an opportunity to ask questions.

Following the presentations, Chairman Tough asked Don Norrell to provide an overview of his thoughts on the study results. Mr. Norrell commented that the study validates the Township's community policing efforts and reinforces that the Township is well staffed with officers and is a safe community. Mr. Norrell also stated that it was beneficial to have the consultants look at existing contracts. The study noted that the Township should incorporate a Uniform Crime Report (UCR) in its reporting which Mr. Norrell agreed would be something the Township should work toward. A UCR would be helpful to compare crime statistics in The Woodlands to other cities.

The Executive Summary for this item is attached hereto as Exhibit "B".

Note: The Board adjourned at 10 a.m. to await results of the bond sale. The Board reconvened in Public Session at 10:15 a.m. to take action on the following matters:

Receive, consider and act upon issuance, sale and delivery of the Township's \$9,900,000 Unlimited Tax Bonds, Series 2011;

Chairman Tough called on Mike Page, legal counsel and Drew Masterson, financial advisor to present this item which included the following matters:

a. Receive and consider bids and proposal for purchase of the Bonds and the award of sale of the Bonds;

Chairman Tough called on Mike Page and Drew Masterson, financial advisor, to review the results of the bids received on the bonds. Mr. Masterson informed the Board that eight bids were received and that Morgan Keegan & Co., Inc. was awarded the bonds with a bid of 2.909 percent.

b. Receive, consider and act upon adoption of a Resolution Authorizing the Issuance, Sale and Delivery of the Bonds;

MOTION: Treasurer Robb moved to adopt the Resolution Authorizing the Issuance, Sale and Delivery of the Bonds; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: Secretary Hunter

ACTION: Motion passed unanimously (6-0).

c. Receive, consider and act upon appointment of a Paying Agent/Registrar for the Bonds;

MOTION: Director Blair moved to appoint the Bank of New York Mellon as the Paying Agent/Registrar for the Bonds; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: Secretary Hunter

ACTION: Motion passed unanimously (6-0).

d. Receive, consider and act upon authorizing distribution of a final Official Statement in connection with the Bonds; and

MOTION: Vice Chairman Matthews moved to authorize distribution of a final Official Statement in connection with the Bonds; second by Director Blair

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Treasurer Robb

Director Blair
Director Campbell
Director Hausman

Nays: None

Abstentions: None

Absent: Secretary Hunter

ACTION: Motion passed unanimously (6-0).

- e. **Receive, consider and act upon any other matters related to the issuance, sale and deliver of the Bonds;**

There were no other matters to present.

The Bond Resolution is attached hereto as Exhibit "C".

POTENTIAL CONSENT AGENDA:

(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)

Receive, consider and act upon approval of the minutes of the September 15, 2011 Board Workshop and the September 21, 2011 Regular Board Meeting of the Board of Directors of The Woodlands Township;

Chairman Tough asked the Board to review the minutes in preparation for the October 26, 2011 regular Board meeting. There were no corrections to the minutes. This item will be brought forward to the October 26, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon renewal of a Service Agreement with South Montgomery County Woodlands Chamber of Commerce Economic Development Partnership;

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with the South Montgomery County Woodlands Economic Development Partnership at a level of \$125,000 annually. Board discussion followed. This item will be brought forward to the October 26, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Note: The next two agenda items were taken in reverse order:

Receive, consider and act upon renewal of a Service Agreement with the Center for Houston's Future; PLACE ON REGULAR AGENDA

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a Service Agreement with The Center for Houston's Future at a level of \$15,000. Board discussion followed. Director Hausman requested that this item be placed on the Regular Agenda for consideration and action at the October 26, 2011 regular Board meeting.

Receive, consider and act upon renewal of a Service Agreement with The Woodlands Convention and Visitor Bureau; PLACE ON REGULAR AGENDA

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a Service Agreement between The Woodlands Township and The Woodlands Convention & Visitors

Bureau. Board discussion followed. Director Campbell requested that this item be placed on the Regular Agenda for consideration and action at the October 26, 2011 regular Board meeting.

Receive, consider and act upon renewal of a Service Agreement with Leadership Montgomery County;

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a Service Agreement with the Leadership Montgomery County at a level of \$5,000 for the 2011-2012 leadership year. Board discussion followed. This item will be brought forward to the October 26, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon addition to contract with BIO Landscape and Maintenance, Inc. regarding Alden Bridge Sports Park 3;

John Powers provided a summary of this item with a recommendation that the Board approve the addition to the Park and Pathway Maintenance Agreement with BIO Landscape & Maintenance, Inc. for the maintenance of the new sports fields numbered 3 through 8 at Alden Bridge Sports Park in the amount of \$40,200 per year and authorize the President/General Manager to execute the addition to the agreement. Board discussion followed. This item will be brought forward to the October 26, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon a sponsorship agreement with The Woodlands Cycling Club for Cyclocross Races at Terramont Park;

John Powers provided a summary of this item with a recommendation that the Board approve the sponsorship agreement with The Woodlands Cycling Club for Cyclocross Races as presented and authorize the President/General Manager to execute the agreement. Board discussion followed. This item will be brought forward to the October 26, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon a proclamation in support of America Recycles Day;

Chairman Tough informed the Board that the proclamation will be read at the October 26, 2011 regular Board meeting prior to approval of the Consent Agenda.

BRIEFINGS:

Receive and consider a report regarding 2011-2012 Convention Center activities;

Nick Wolda, President of The Woodlands Convention and Visitors Bureau (TWCVB), presented an update on TWCVB services, visitor activity, special event attendance and destination marketing efforts during the 3rd quarter 2011. Board discussion followed. No action was necessary on this item.

The Executive Summary for this item is attached hereto as Exhibit "D".

Receive and consider a presentation regarding the upcoming move to 2801 Technology Forest Boulevard;

Damon Palermo, Project Coordinator, provided an update on the renovation of the new Township office facility. Mr. Palermo stated that the move will take place in two phases beginning with IT migration on November 14-15. The Chamber office and Annex office locations will then move on November 18 followed by the Service Center on December 2.

Mr. Norrell commented that an Open House is tentatively being planned to coincide with the January 2012 Town Hall meeting. Board discussion followed. This item was for information only.

Receive and consider a presentation regarding the electronic agenda process; PLACE ON CONSENT AGENDA

William Pham, IT Manager, provided a summary of this item. Mr. Pham discussed the features of an agenda and meeting management system. The system is integrated with an audio/visual system that would allow meetings to be broadcast live over the internet on the Township's website. Board members would be able to download Board packets to their tablets, smart phone or personal computer. Similar information would also be available to the public on the Township portal. It is proposed that each Director be provided with a take-home iPad.

Mr. Pham then provided a cost comparison of the paper agenda packet process versus an electronic agenda process. The cost comparisons showed that moving to an electronic agenda process would save money as well as enhance transparency. Board discussion followed. It was the decision of the Board to place this item on the Consent Agenda for the October 26, 2011 regular Board meeting.

Discussion regarding sound wall petition in Montfair Neighborhood (this item will be discussed at the October 26, 2011 Board of Directors meeting); PLACE ON REGULAR AGENDA

Chairman Tough informed the Board that this item will be placed on the Regular Agenda for further consideration and possible action at the October 26, 2011 regular Board meeting. Board discussion followed.

Discussion regarding the drought and tree removal plan for The Woodlands Township (this item will be discussed at the October 26, 2011 Board of Directors meeting); PLACE ON REGULAR AGENDA

John Powers requested that the Board place this item on the Regular Agenda for further consideration and possible action at the October 26, 2011 regular Board meeting. Board discussion followed.

POTENTIAL REGULAR AGENDA:

(This agenda consists of items that will be placed on the Regular Agenda at the next Board of Directors' meeting.)

Receive, consider and act upon approval to immediately purchase the approved 2012 capital project "Booster Truck" for The Woodlands Fire Department;

Jerry Bittner, Woodlands Fire Department Deputy Chief, provided a summary of this item with a recommendation that the Board authorize the immediate purchase of the approved 2012 capital project "Booster Truck" for The Woodlands Fire Department. Board discussion followed. This item will be brought forward to the October 26, 2011 regular Board meeting for consideration and action under the Regular Agenda.

CLOSED MEETING (if applicable):

Recess at 11:16 a.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matter pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney concerning pending litigation pursuant to §551.071, Texas Government Code;

Note: Secretary Hunter arrived before the Board immediately before the Board reconvened from Executive Session.

Reconvene in Public Session at 12:55 p.m.;

Chairman Tough announced that it would not be necessary to take action at this time on matters discussed in Executive Session.

Receive, consider and act upon an amendment of a land lease agreement between The Woodlands Township and Montgomery County in regards to the reconstruction of Central Fire Station;

Chairman Tough informed the Board that this item will be considered and acted upon at the October 26, 2011 regular Board meeting under the Regular Agenda.

Receive, consider and act upon Retirement Plan changes;

Chairman Tough informed the Board that this item will be considered and acted upon at the October 26, 2011 regular Board meeting under the Regular Agenda.

ADMINISTRATIVE REPORTS;

Community Services: presented by John Powers

- The Development Standards Committee (DSC) is considering changes to the Standards regarding signage in commercial windows, residential driveway widening and detached buildings on residential properties. Consideration is also being given to trash can screens to determine what may be approvable in anticipation of the new recyclables carts. Notices will be placed in the Community Magazine, direct mailers, etc. informing residents about the delivery of new carts which will start being rolled out the first of December and continue through the end of January 2012;
- The Riva Row Boat House used "Groupon" for a fall promotion throughout the region which was very successful. In two days over 1,000 discounted rentals were sold. Over 50% of the buyers were from outside the Township's direct service area.
- Sawmill Park Renovation project is scheduled to go out to bid November 17, 2011 with a bid due date of December 15, 2011. Award of bid is scheduled for January 2012;
- Reminder that a presentation on the response to the drought, tree removal and forest management will be made at the October 26, 2011 regular Board meeting including possible budget amendments and drought response option for Board consideration.

Community Policing: presented by John Powers

Mr. Powers provided an abbreviated 3rd Quarter Report that highlighted decreases in the following categories for 2011 compared to 2010:

- **Burglary of building, business and habitation-** 9% decrease
- **Burglary of motor vehicle-** 47% decrease
- **Auto theft-** 40% decrease
- **Criminal mischief-** 22% decrease

The Woodlands Fire Department-No report

The Woodlands Convention & Visitors Bureau-No report

DISCUSS FUTURE AGENDA/ANNOUNCEMENTS:

Consideration of items to be placed on the agenda for next month's meeting:

- Director Robb requested a report be made in the near future on who's responsible for public art in the medians.
- Director Campbell requested that the Board revisit the issue regarding May versus November election next month.

Board announcements:

- Director Matthews invited everyone to Taste of the Village on Saturday, October 22, 2011 from Noon-4 p.m. at the Indian Springs Village Shopping Center.

Public comment; and

- Director Hunter stressed that trees in forested areas will be fine during the drought period.

Adjourn

As there was no further business to discuss, Chairman Tough called for a motion and second to adjourn the meeting at 1:02 p.m.

MOTION: Motion to adjourn by Treasurer Robb; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

(SEAL)




Claude Hunter
Secretary, Board of Directors

EXHIBIT OMISSIONS*

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "C"

EXHIBIT "D"

***To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**